

Attorney Docket Number: 6891.US.P2
Filing Date: 9/12/2003

Remarks

A. Background

Claims 4-10, 13-26 are currently pending after entry of the above amendments to the claims, no new matter has been added through the above amendments.

B. Claim Amendments

Applicants hereby submit the above amendments to Claims 4-6, 8-9, 13,16,18-19, wherein the Claims have been amended to further clarify the present invention. Applicants have additionally submitted new claims 24-26, wherein Applicants believe that the new claims submitted above are allowable for the reasons below.

C. Rejections under 102(b).

Claims 1,2,11,12, 18-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Buelna. Applicants respectfully direct the Examiner's attention to the above claim amendments, wherein claims 1, 2, 11, 12 have been canceled, thereby rendering the present rejection moot.

With regard to claims 18-20, again Applicants respectfully direct the Examiner's attention to the above claim amendments, wherein claims 18 and 19 have been amended to depend from an allowable independent claim and are therefore allowable. Applicants believe claim 20 as originally presented is allowable as claim 20 depends from a presently amended allowable independent claim. Therefore, for these reasons, Applicants believe that the rejection in view of Beulna is moot.

Claims 1-3, and 6-8 were rejected under 35 U.S.C. §102(b) as being anticipated by Sadove et

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al. 3,380,448.

Applicants respectfully direct the Examiner's attention to the above claim amendments wherein claims 1-3 have been canceled, thereby rendering the present rejection moot. With regard to claims 6-8 Applicants hereby submit the above amendments to claims 6 and 8, wherein claims 6-8 presently depend from an allowable independent claim and include all of the limitations of the allowable independent claim.

Therefore, for these reasons, Applicants believe that the present rejection in view of Sadove, et al. is moot.

D. Allowed Claims

Applicants hereby acknowledge that the Examiner has indicated claims 21-23 as being allowable over the prior art. Further still, the Examiner indicated claims 4, 5, and 13-17 were allowable if rewritten in independent form. Applicants respectfully direct the Examiner's attention to the above claim amendments, wherein Applicants believe that the claims as amended are allowable as indicated in the statement of allowance in the above-referenced Office Action.

Applicants additionally have submitted new claims 24-26, wherein new independent claim 24 claims a medical device having a handle, an elongated member, an agent cartridge disposed in the handle and in fluid communication with the elongated member, a sliding member, and a biasing member. Applicants believe the art as cited fails to teach a medical device as claimed, wherein the medical device includes an agent cartridge disposed within a handle portion of the device and in communication with an elongated member of the device.

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E. Conclusion

Applicants believe that through the above amendments presented herein as well as the remarks presented above, the present application is in condition for allowance. Applicants respectfully request that the application be advance to allowance as soon as possible.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

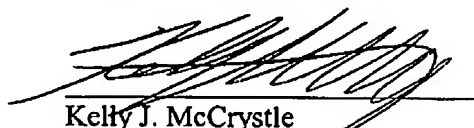
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 01-0025 for any charges that may be due or credit our account for any overpayment.

Respectfully submitted,

23492

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